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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/826,147

**Applicant(s)**

MUTTON ET AL.

**Examiner**

YASIN M. BARQADLE

**Art Unit**

2456

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/01/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15, 17-31, 33-36, 38-49, 51-54 and 56-77 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-31, 33-36, 38-49, 51-54 and 56-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **Response to Amendment**

1. The arguments filed on December 01, 2008 regarding the restriction requirement of October 30, 2008 has been fully considered and deemed persuasive. Therefore, the restriction requirement has been withdrawn. However, Applicant's arguments and the expert testimony submitted on July are moot in view of the new ground(s) of rejection.

### ***Response to Arguments***

#### **I. 35 U.S.C. § 112, ¶1**

Applicant's arguments filed 07/15/2008 (herein "Remarks") in regards to the §112, ¶1 rejections have been fully considered. Applicant has amended the claims to overcome the rejections. Accordingly, those rejections have been withdrawn.

In response to Applicant's Affidavit filed on July 15, 2008, the Examiner notes that the Affidavit seems to be more of an opinion than facts. Mr. Herve Carruzzo repeatedly states "In my opinion ...", therefore, as an examiner after careful review of the Declaration, I am not convinced that for example, "Hans Publication inherently employs the deployment of one or more reference files previously uploaded to the web server..." as stated by Mr. Carruzzo (see page 8). Nevertheless, the Examiner's new art rejection combined with Hans answers the issues raised by the Applicant in the newly amended claims.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 15, 17, 31, 33, 51, 67-77 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. the claims recite "said at least one link processing server transmits second reference information to the client workstation, thereby generating a second request to stream the multi-media content to said at least one client workstation" ... responsive to said second request received from said at least one link processing server so as to deliver the multi-media content over the Internet to said at least one client workstation" It is not clear about who generates the second request "the client" as argued by Applicant on page 41 second paragraph "Applicants' disclosure as originally filed. Claims 1, 15, 17, 31, 33, 51, 67-77 have also been amended to specify that a "first request" is generated by the "at least one client workstation" and that a "second request" is also generated by the "at least one client workstation...", or "the link processor server" as recited in claims (... responsive to said second request received from said at least one link processing server ...". correction or clarification is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 2, 4-15, 33-36, 38, 40-50, 67, 68, and 71-77** rejected under 35 U.S.C. 103(a) as being unpatentable **over Hans (U.S. Pub. No. 2002/0120577) in view of Oberdorfer (U.S. Patent. No. 6757709).**

**Claims 1, 2, 4-15, 33-36, 38, 40-50, 67, 68, and 71-77 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious**

Regarding claim 1, Hans teaches a system for delivering streaming multi-media content over the Internet (see figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising:

at least one client workstation (user node 12), responsively interfaced to the Internet wherein link encoded web pages are displayed and said at least one client workstation enabling a user to select a hyperlink resulting in the transmission of a request over the Internet for receiving the multi-media content, wherein each link encoded web page includes one or more encoded hyperlinks comprising first reference information (web page displaying

selectable categorized information implies hyperlinks), wherein first reference information comprises information specifying the multi-media content and format associated therewith; said link specifying the multi-media content and format associated therewith (paragraph [0026] where the user selects the digital content using a web browser; paragraph [0022], where user requests are for particular digital content that can be requested in different formats); at least one link processing server (content manager 11 and paragraph 0027) interfaced to the Internet and hosting at least one link conversion process, wherein the link processor server enables one or more formats (MP3, WMA, etc.) to stream without having to deploy from a web server one or more reference files (0019), and the link processing server receives the first request for the multi-media content from said at least one client workstation (user node 12), the request comprising specification of the multi-media content in a web page embedding, said at least one linking server (content manager 11) generating another request to stream the multi-media content to said at least one client workstation (user node 12), said another request automatically formatted or preformatted to be in conformity at least with the format of the multi-media content via said at least one link conversion process (see paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format); and

at least one streaming multi-media server interfaced to the Internet and storing the multi-media content (content provider 16), and responsive to said second request received from said at least one link processing server (content manager 11) so as to deliver the multi-media content over the Internet to said at least one client workstation (user node 12) (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format).

Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second

reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Regarding claim 2, Hans teaches the system of claim 1, wherein said link specifying the multi-media content and format associated therewith further includes specification of said at least one linking server for pre-processing the request (paragraph [0026]).

Regarding claim 4, Hans teaches the system of claim 1, wherein said request does not expressly specify a communications port of said at least one linking server (paragraph [0026]).

Regarding claim 5, Hans teaches the system of claim 1, wherein said at least one linking server (content manager 11) includes a database for recording each said request (paragraph [0027]).



Regarding claim 6, Hans teaches the system of claim 1, wherein the linking server (content manager 11) processes said request only if the requesting client pays for the requested multi-media content (paragraph [0029]).

Regarding claim 7, Hans teaches the system of claim 1, wherein the linking server processes said request only if the requesting client is authorized to receive the requested multi-media content (paragraph [0029]).

Regarding claim 8, Hans teaches the system of claim 1, wherein the linking server hosts said conversion process for requests for multi-media content in a plurality of formats including MP3 and MPEG formats (paragraph [0022]).

Regarding claim 9, Hans teaches the system of claim 1, wherein said web pages are hosted on a web server, wherein said web server only serves requests for content consisting of web pages (paragraph [0026]).

Regarding claim 10, Hans teaches the system of claim 1, wherein the multi-media content is a MPEG or MP3 clip (paragraph [0022]).

Regarding claim 11, Hans teaches the system of claim 1, wherein said link specifying the multi-media content and the format associated therewith specifies one of a plurality of different formats (paragraph [0022]).

Regarding claim 12, Hans teaches the system of claim 1, but does not expressly disclose all the particular aspects of the server software running on the content manager (paragraph [0026]). Hans does not teach that the server

software utilizes Microsoft ASP and VBScript. However, it was common knowledge in the art that Microsoft ASP and VBScript were well-known technologies used for hosting websites and they provided advantages the ability to create dynamic and powerful Web-based business solutions. It would have been obvious to one of ordinary skill in the art to use these technologies in the instant case for the same reasons.

Regarding claim 13, Hans teaches the system of claim 1, wherein the at least one link conversion process is a plurality of link conversion processes (paragraph [0029]).

Regarding claim 14, Hans teaches the system of claim 1, wherein the at least one linking server (content manager 11) is such that a single server hosts a plurality of said at least one link conversion processes and said single server processes requests for a plurality of media formats corresponding to each said link conversion process (paragraph [0029]).

Regarding claim 15, the claim is rejected for substantially the same reasons as claim 1.

Regarding claim 33, the claim is rejected for substantially the same reasons as claim 1.

Regarding claim 34, Hans teaches the system of claim 33, wherein the computer network is the Internet (paragraph [0026]).

Regarding claim 35, Hans teaches the system of claim 33, wherein the at least one information and information services is multi-media content (paragraph [0022]).

Regarding claim 35, Hans teaches the system of claim 33, wherein the at least one information and information service is media content (paragraph [0022]).

Regarding claim 38, Hans teaches the system of claim 33, wherein said link specifying the at least one of information and information services and the format associated therewith further includes specification of said at least one connection processor for pre-processing the request (paragraph [0026]).

Regarding claim 40, Hans teaches the system of claim 33, wherein said request does not expressly specify a communications port (paragraph [0026]).

Regarding claim 41, Hans teaches the system of claim 33, wherein said at least one connection processor includes a database for recording each said request (paragraph [0027]).

Regarding claim 42, Hans teaches the system of claim 33, wherein said at least one connection processor processes said request only if the requesting client pays for the requested at least one of information and information services (paragraph [0029]).

Regarding claim 43, Hans teaches the system of claim 33, wherein said at least one connection processor processes said request only if the requesting

client is authorized to receive the requested at least one of information and information services (paragraph [0029]).

Regarding claim 44, Hans teaches the system of claim 33, wherein the connection processor (content manager 11) hosts the conversion process for requests for at least one of information and information services in a plurality of formats including MP3, MPEG, and Windows Media formats (paragraph [0022]). Hans does not expressly state that the information and information services can be in RealNetworks™ or QuickTime™ formats. However, these formats were well known to one of ordinary skill in the art and would have been obvious to use here because RealNetworks formats provide access to files at different speeds and QuickTime formats provide seamless exchange of digital media between nearly all digital media tools.

Regarding claim 45, Hans teaches the system of claim 33, wherein said web pages are hosted on a web server, wherein said web server only serves requests for content consisting of web pages (paragraph [0026]).

Regarding claim 46, Hans teaches the system of claim 33, wherein the at least one of information and information services is a MPEG or MP3 clip (paragraph [0022]).

Regarding claim 47, Hans teaches the system of claim 1, wherein said link specifying the multi-media content and the format associated therewith specifies one of a plurality of different formats (paragraph [0022]).

Regarding claim 48, the claim is rejected using the same rationale as claim 12.

Regarding claim 49, Hans teaches the system of claim 33, wherein the at least one link conversion process is a plurality of link conversion processes (paragraph [0029]).

Regarding claim 50, Hans teaches the system of claim 33, wherein the at least one linking server is such that a single server hosts a plurality of said at least one link conversion processes and said single server processes requests for a plurality of media formats corresponding to each said link conversion process (paragraph [0029]).

Regarding claim 67, Hans teaches a system for distributing website specification including at least one link encoded web page providing at least one of information and information services over a computer network (figures 3 and 5, where the users access digital content stored on a remote content provider server), the system comprising:

a web server (content manager 11) responsively connected to the computer network, said web server for hosting the website (paragraph [0026]);

a web development workstation (user node 12) for specifying the at least one web page of the website, said web development workstation responsively connected to the computer network (paragraph [0026]);

a computer process hosted on the web development workstation for constructing at least one link specifying a connection processor (paragraph [0026], where the user selects the digital content using a web browser);

another computer process hosted on the web development workstation for embedding the at least one link into the at least one web page so that the at least one web page is a link encoded web page (paragraph [0026], the web page must have a link because the user makes selections);

a network interface for sending the at least one link encoded web page from the web development workstation to the web server (paragraph [0026]);

a client workstation (user node 12) responsively connected to the computer network wherein the client workstation originates at least one request for the at least one link encoded web page and at least one request for at least one of information and information services by specifying a selection, said selection resulting in the transmission of the at least one link over the computer network (paragraph [0026] where the user selects the digital content using a web browser; paragraph [0022], where user requests are for particular digital content that can be requested in different formats);

another computer process hosted on the connection processor, receiving the at least one link and converting said at least one link to an other at least one of information and information services request, said request wherein the connection processor is a linking server enabling a plurality of formats to stream without having to deploy one or more reference files containing an

address to the multi-media content, and said request specifies at least one media server (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format); and

a network interface for transmitting the other at least one of information and information services request to the media server (figure 3).

Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Regarding claim 68, Hans teaches a system for optimizing the distribution of at least one of information and information services over a computer network (figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising:

applying a computer process (the process of receiving the request and contacting the content provider) to a specification of display formats (video formats) for at least one of information and information services (digital content) resulting in the generation of a link comprising the specification of the display options and a reference to the connection processor (content manager 11) (paragraph [0026] where the user selects the digital content using a web browser; paragraph [0022], where user requests are for particular digital content that can be requested in different formats; paragraph [0029], where the access manager on content manager 11 authorizes the content provider to



transmit stream the digital content to user node 12 in the user-specified format);

embedding said link into the website so that the website is a link encoded website (paragraph [0026]);

distributing the link embedded in the link encoded website to at least one client workstation (user node 12) (paragraph [0026]);

receiving the link by the connection processor resulting from the request for at least one of information and information services generated by the at least one client workstation, wherein the connection processor is a linking server enabling a plurality of formats to stream without having to deploy one or more reference files containing an address to the multi-media content (paragraph [0026]); and

applying a computer process hosted on the connection processor (content manager 11) to convert the specification of display formats (video formats) for the connection processor into an other request for at least one server (content provider node 16) to satisfy the request for at least one of information and information services (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format). Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly

teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Regarding claim 71, Hans teaches in a system for distributing at least one of information and information services over a computer network wherein multi-media content is uploaded to at least one multi-media content server, a method (figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising the steps of:

generating a request for the multi-media content including at least one link specifying at least one linking server inserted in at least one web page so that the web page is a link encoded web page, responsive to a user request, said at least one link encoded web page to be distributed to at least one client workstation over the Internet, wherein the linking server enables a plurality of formats to stream without having to deploy one or more reference files containing an address to the multi-media content (paragraph [0026] where the user selects the digital content using a web browser);

receiving by the at least one linking server the request from the at least one client workstation for the multi-media content via the at least one link (paragraph [0026]); and

generating another request by the at least one linking server to stream the multi-media content to said at least one client workstation, said another request automatically formatted to be in conformity at least with the format of the multi-media content (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format).

Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Regarding claim 72, the claim is rejected for substantially the same reasons as claim 71.

Regarding claim 73, Hans teaches in a system for distributing at least one of information and information services over a computer network wherein multi-media content is uploaded to at least one content server, a method (figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising the steps of:

generating a link encoded web page, wherein the link encoded web page, responsive to a user request, contains at least one link specifying a connection processor (content manager 11), said link encoded web page to be distributed to at least one client workstation over the computer network (paragraph [0026] where the user selects the digital content using a web browser);

receiving by the connection processor (content manager 11) over the computer network a request for at least one of information and information services, wherein the connection processor receives the request for the at least one of information and information services and the connection processor is a linking server enabling a plurality of formats to stream without having to deploy one or more reference files containing an address to the multi-media content (paragraph [0026] where the user selects the digital content using a web browser),

identifying by the connection processor (content manager 11) the at least one of information and information services requested and generating other

request to satisfy the at least one of information and information services (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format); and

transmitting said generated other requests over the computer network to at least one of information and information services server (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format).

Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second

reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Regarding claim 74, the claim is rejected for substantially the same reasons as claim 73.

Regarding claim 75, the claim is rejected for substantially the same reasons as claim 71.

Regarding claim 76, the claim is rejected for substantially the same reasons as claim 71.

Regarding claim 77, the claim is rejected for substantially the same reasons as claim 1.

**Claims 17, 18, 20-31, 51-54, and 57-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hans and (U.S. Publication No.**

**2002/0120577) and Oberdorfer in view of RFC 959 (File Transfer Protocol, Postel et al., October 1985).**

Regarding claim 17, Hans teaches a method for processing requests for multi-media content by at least one client workstation over the Internet (figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising the steps of:

generating at least one link encoded web page, wherein the link encoded web page includes a request for the multi-media content (digital content) including at least one link specifying at least one linking server (content manager 11), responsive to a user request, wherein the linking server enables a plurality of formats to stream without having to deploy one or more reference files containing an address to the multi-media content (paragraph [0026] where the user selects the digital content using a web browser; paragraph [0022], where user requests are for particular digital content that can be requested in different formats);

distributing said at least one link encoded web page to the at least one client workstation (user node 12) over the Internet (paragraph [0026]);

receiving by the at least one linking server (content manager 11) the request from the at least one client workstation (user node 12) for the multi-media content (digital content) via the at least one link (paragraph [0026] where the user selects the digital content using a web browser); and



generating another request by the at least one linking server (content manager 11) to stream the multi-media content to said at least one client workstation (user node 12), said another request automatically formatted to be in conformity at least with the format of the multi-media content (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format).

Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Hans and Oberdorfer do not expressly disclose *uploading the at least one of information and information services to the at least one server*. Hans and Oberdorfer are silent regarding the particular details of how the digital content (i.e., the information or information services) ends up on the content provider node (16).

Nonetheless, uploading files to their intended destination was notoriously well known in the art, as evidenced by the File Transfer Protocol (FTP) disclosed in RFC 959 (the whole document). FTP provides advantages such as providing users with a reliable and convenient means storing files on different hosts (page 2, third paragraph). Accordingly, it would have been obvious to use such an upload scheme in the instant case.

Regarding claim 18, Hans further teaches that said link specifying the media content and the format associated therewith further includes a

specification of said at least one linking server for preprocessing the request (paragraph [0026]).

Regarding claim 20, Hans further teaches that said request does not expressly specify a communications port of said at least one linking server (paragraph [0026]).

Regarding claim 21, Hans further teaches that said at least one linking server (content manager 11) includes a database for recording each said request (paragraph [0027]).

Regarding claim 22, Hans further teaches that the linking server processes said request only if the requesting client pays for the requested media content (paragraph [0029]).

Regarding claim 23, Hans further teaches that the linking server processes said request only if the requesting client is authorized to receive the requested content (paragraph [0029]).

Regarding claim 24, Hans further teaches that the linking server hosts said conversion process for requests for media content in MP3 and MPEG formats (paragraph [0022]).

Regarding claim 25, Hans further teaches that said web pages are hosted on a web server, wherein said web server only serves requests for content consisting of web pages (paragraph [0026]).

Regarding claim 26, Hans further teaches that the media content is a MPEG or MP3 multi-media clip (paragraph [0022]).

Regarding claim 27, Hans further teaches that said link specifying the media content and the format associated therewith specifies one of a plurality of different formats (paragraph [0022]).

Regarding claim 28, Hans does not expressly disclose all the particular aspects of the server software running on the content manager (paragraph [0026]). Hans does not teach that the server software utilizes Microsoft ASP and VBScript. However, it was common knowledge in the art that Microsoft ASP and VBScript were well-known technologies used for hosting websites and that they provided advantages such as the ability to create dynamic and powerful Web-based solutions. It would have been obvious to one of ordinary skill in the art to use these technologies in the instant case for the same reasons.

Regarding claim 29, Hans further teaches that the at least one link conversion process is a plurality of link conversion processes (paragraph [0029]).

Regarding claim 30, Hans further teaches that the at least one linking server is such that a single server hosts a plurality of said at least one link conversion process and said single server processes requests for a plurality of

media formats corresponding to each link conversion process (paragraph [0029]).

Regarding claim 31, the claim is rejected for substantially the same reasons as claim 17.

Regarding claim 51, Hans teaches a system for optimizing the distribution of at least one of information and information services over a computer network (figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising the steps of:

generating a link encoded web page, wherein the link encoded web page contains at least one link specifying a connection processor (content manager 11) (paragraph [0026] where the user selects the digital content using a web browser);

distributing the web page to at least one client workstation (user node 12) over the computer network (paragraph [0026]);

receiving over a computer network a request for at least one of information and information services (digital content), wherein the connection processor (content manager 11) receives the request for the at least one of information and information services without having to deploy one or more reference files containing an address to the multi-media content (paragraph [0026] where the user selects the digital content using a web browser);

identifying the at least one of information and information services requested (paragraph [0029]);

generating other requests to satisfy the at least one of information and information services (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format); and

transmitting said generated requests over the computer network to at least one of information and information services server (content provider 16) (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format).

Hans does not expressly disclose *uploading the at least one of information and information services to the at least one server*. Hans is silent regarding the particular details of how the digital content (i.e., the information or information services) ends up on the content provider node (16).

Nonetheless, uploading files to their intended destination was notoriously well known in the art, as evidenced by the File Transfer Protocol (FTP) disclosed in RFC 959 (the whole document). FTP provides advantages such as providing users with a reliable and convenient means storing files on different hosts (page 2, third paragraph). Accordingly, it would have been obvious to use such an upload scheme in the instant case.

Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Regarding claim 52, Hans further teaches that the computer network is the Internet (paragraph [0026]).

Regarding claim 53, Hans further teaches that the at least one information and information services is streaming multi-media content (paragraph [0027]).

Regarding claim 54, Hans further teaches that the at least one information and information services is media content (paragraph [0027]).

Regarding claim 57, Hans further teaches that said request for at least one of information and information services does not expressly specify a communications port of said connection processor (paragraph [0026]).

Regarding claim 58, Hans further teaches that said connection processor includes a database for recording each request (paragraph [0027]).

Regarding claim 59, Hans further teaches that said connection processor processes said request for at least one of information and information services only if the requesting client pays for the requested at least one of information and information services (paragraph [0029]).

Regarding claim 60, Hans further teaches that the connection processor processes said request for at least one of information and information services only if the requesting client is authorized to receive the requested at least one of information and information services (paragraph [0029]).



Regarding claim 61, Hans teaches that the connection processor (content manager 11) hosts the conversion process for requests for at least one of information and information services in a plurality of formats including MP3, MPEG, and Windows Media™ formats (paragraph [0022]). Hans does not expressly state that the information and information services can be in RealNetworks™ or QuickTime™ formats. However, these formats were well known to one of ordinary skill in the art and would have been obvious to use here because RealNetworks formats provide access to files at different speeds and QuickTime formats provide seamless exchange of digital media between nearly all digital media tools.

Regarding claim 62, Hans further teaches that said web pages are hosted on a web server which only processes requests for web pages (paragraph [0026]).

Regarding claim 63, Hans further teaches that the at least one of information and information services an MPEG or MP3 clip (paragraph [0022]).

Regarding claim 64, Hans further teaches that the connection processor generates other requests for at least one of information and information services in a plurality of distinct formats (paragraph [0022]).

Regarding claim 65, Hans does not expressly disclose all the particular aspects of the server software running on the content manager (paragraph [0026]). Hans does not teach that the server software utilizes Microsoft ASP

and VBScript. However, it was common knowledge in the art that Microsoft ASP and VBScript were well-known technologies used for hosting websites and that they provided advantages such as the ability to create dynamic and powerful Web-based business solutions. It would have been obvious to one of ordinary skill in the art to use these technologies in the instant case for the same reasons.

Regarding claim 66, Hans further teaches that the connection processor hosts a plurality of processes for generating other requests in a plurality of distinct formats (paragraph [0026]).

**Claims 69 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hans (U.S. Publication No. 2002/0120577) and Oberdorfer in view of Kenner (U.S. Patent No. 6,421,726).**

Regarding claim 69, Hans teaches a system for optimizing the distribution of at least one of information and information services over a computer network (figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising:

at least one client workstation (user node 12), responsively interfaced to the computer network wherein a link encoded web page is displayed and said at least one client workstation enabling a user to select a link resulting in the transmission of a request over the computer network for receiving the at least

one of information and information services (paragraph [0026] where the user selects the digital content using a web browser);

at least one connection processor (content manager 11) responsively interfaced to the computer network and hosting at least one connection conversion process, wherein the connection processor is a linking server enabling a plurality of formats to stream without having to deploy one or more reference files containing an address to the media content and receives the request from at least one client workstation for the at least one of information and information services and applying the at least one connection conversion process to generate at least one other request for the at least one of information and information services and transmit the at least one other request over the computer network (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format); and

at least one server (content provider 16) responsively interfaced to the computer network and hosting the at least one of information and information services, said at least one server receiving the at least one other request to deliver at least one of information and information services over the computer network to said at least one requesting client workstation (paragraph [0029], where the access manager on content manager 11 authorizes the content

provider to transmit stream the digital content to user node 12 in the user-specified format).

Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Hans and Oberdorfer do not expressly disclose that the at least one other request is *responsive to the requirements of a dynamic resource distribution optimization program responsive to changes in network demand for the at least one of information and information services*. Hans and Oberdorfer are silent regarding the particular details of how the content manager (11) chooses the content provider node (16).

Nonetheless, it was well known in the art to dynamically select an appropriate server to serve multimedia files (or other types of files) responsive to changes in network demand for the files, as evidenced by Kenner (e.g., column 5, line 63 – column 6, line 18). Kenner's dynamic selection scheme provides advantages such as reducing overall network congestion (column 6, line 14). Therefore, it would be obvious to dynamically select appropriate servers in the same manner in the instant case as well.

**Claim 70 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hans and Oberdorfer in view of RFC 959 (File Transfer Protocol, Postel et al., October 1985) and Kenner (U.S. Patent No. 6,421,726).**

Regarding claim 70, Hans teaches a system for optimizing the distribution of at least one of information and information services over a

computer network (figures 3 and 5, where the users access digital content stored on a remote content provider server) comprising the steps of:

generating a link encoded web page, wherein the link encoded web page, responsive to a user request, contains at least one link specifying a connection processor (content manager 11), and encoding at least one of information and information services display (paragraph [0026] where the user selects the digital content using a web browser; paragraph [0022], where user requests are for particular digital content that can be requested in different formats);

distributing the at least one link encoded web page over the computer network (paragraph [0026]);

receiving, over a computer network, a request for at least one of information and information services, wherein said receiving the request for the at least one of information and information services is performed by a connection processor (content manager 11), wherein the connection processor is a linking server enabling a plurality of formats to stream without having to deploy one or more reference files containing an address to the media content (paragraph [0026] where the user selects the digital content using a web browser);

generating at least one of another request for the at least one of information and information services (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format); and

transmitting said generated requests over the computer network to at least one server (content provider 16) (paragraph [0029], where the access manager on content manager 11 authorizes the content provider to transmit stream the digital content to user node 12 in the user-specified format). Hans teaches the invention as explained above including a content manager configured to convert requested digital contents into a format suitable for rendering by the requesting device (§ 0027). However, Hans does not explicitly teach translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored.

Oberdorfer whose invention is about a method of providing a client system with information via network comprising a link translator server coupled to a client workstation and external content server (fig. 1) discloses where the link translator server, translating first reference information from one or more of an encoded hyperlink to second reference information, the one or more reference files containing the second information, where the second reference information comprises first reference information and location where content is stored (See fig. 7; col. 5, lines 40-55 and col. 9, lines 31-67).

Therefore, it would be obvious to one ordinary skill in the art at the time of the invention to combine the link translating system of Oberdorfer with the digital content management system of Hans in order to provide clients any

required hyperlink encoded information in a "page information" with a single hyperlink that when activated renders the desired content in a desired format.

Oberdorfer further teaches a link conversion server process that does not create any reference files for storage on a web server (fig. 1 and 2).

Hans does not expressly disclose *uploading the at least one of information and information services to the at least one server*. Hans is silent regarding the particular details of how the digital content (i.e., the information or information services) ends up on the content provider node (16).

Nonetheless, uploading files to their intended destination was notoriously well known in the art, as evidenced by the File Transfer Protocol (FTP) disclosed in RFC 959 (the whole document). FTP provides advantages such as providing users with a reliable and convenient means storing files on different hosts (page 2, third paragraph). Accordingly, it would have been obvious to use such an upload scheme in the instant case.

Hans does not expressly disclose that the at least one other request is *responsive to the requirements of a dynamic resource distribution optimization program responsive to changes in network demand for the at least one of information and information services or uploading the at least one of information and information services to the at least one server*. Hans is silent regarding the particular details of how the content manager (11) chooses the content provider node (16).



Nonetheless, it was well known in the art to dynamically select an appropriate server to serve multimedia files (or other types of files) responsive to changes in network demand for the files, as evidenced by Kenner (e.g., column 5, line 63 – column 6, line 18). Kenner's dynamic selection scheme provides advantages such as reducing overall network congestion (column 6, line 14). Therefore, it would be obvious to dynamically select appropriate servers in the same manner in the instant case as well.

**Claims 3 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hans and Oberdorfer in view of Stewart (U.S. Publication No. 2002/0087707).**

Regarding claim 3, Hans and Oberdorfer teach the system of claim 1, and that the users can select the digital content by connecting to a web site hosted by the content manager in a conventional manner (paragraph [0026]). The conventional manner of specifying return links is to not expressly specify ports. Nonetheless, it was well known in the art to expressly use a non-default port, as evidenced by Stewart. In a similar art, Stewart teaches a web site that connects clients to a non-default port (paragraph [0049]). Given the teachings of Stewart, it would have been obvious to one of ordinary skill in the art to do so in the instant case for any of the advantages that Stewart discloses such as conveniently providing a different look and feel, etc. (paragraph [0049]).

Regarding claim 39, the claim is rejected using the same rationale as claim 3.

**Claims 19 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hans and Oberdorfer in view of RFC 959 (File Transfer Protocol, Postel et al., October 1985), and further in view of Stewart (U.S. Publication No. 2002/0087707).**

Regarding claim 19, Hans, Oberdorfer and RFC 959 teach the method as applied to claim 17 above. Hans further teaches that the users can select the digital content by connecting to a web site hosted by the content manager in a conventional manner (paragraph [0026]). The conventional manner of specifying return links is to not expressly specify ports. Nonetheless, it was well known in the art to expressly use a non-default port, as evidenced by Stewart. In a similar art, Stewart teaches a web site that connects clients to a non-default port (paragraph [0049]). Given the teachings of Stewart, it would have been obvious to one of ordinary skill in the art to do so in the instant case for any of the advantages that Stewart discloses such as conveniently providing a different look and feel, etc. (paragraph [0049]).

Regarding claim 56, Hans and RFC 959 teach the method as applied to claim 51 above. The claim is rejected using the same rationale as claim 19.

### **Conclusion**

2. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-

3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yasin M Barqadle/

Primary Examiner, Art Unit 2456